

ORDINANCE NO. 49-979

AN ORDINANCE AMENDING SECTION III-C.3. OF THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE (JULY 9, 2009 EDITION), AS ADOPTED BY REFERENCE IN ORDINANCE NO. 48-451, PERTAINING TO THE U UNIVERSITY DISTRICT.

BE IT ORDAINED BY THE GOVERNING BODY
OF THE CITY OF WICHITA, KANSAS.

SECTION 1. That upon the recommendation of the Wichita-Sedgwick County Metropolitan Area Planning Commission on March 5, 2015, after notice and hearing as provided by law under authority granted by K.S.A. 12-741, et seq., the Wichita-Sedgwick County Unified Zoning Code as adopted by reference in Ordinance No. 48-451 is hereby amended as follows:

3. U University District ("U")

- a. Purpose.** The U University District is intended to accommodate the development of Universities, Colleges, seminaries, or other institutions of higher learning. The district is designed to serve as a base District or as an Overlay District. As a base District or an Overlay District, the U District shall be applied to the campus Owned or leased by the educational institution, its subsidiaries or affiliates. It may also be applied on Adjacent residential zoned properties as an Overlay District when the Planning Commission and the Governing Body have determined that the Adjacent area is a logical and desirable location for:

- (1)** expansion of the University, College, seminary or other institution of learning;
- (2)** fraternities, sororities, dormitories, student housing and related Uses;
- (3)** offices, meeting rooms, laboratories and other facilities for educational, fraternal, professional, religious and research organizations and institutions with a demonstrated relationship to the University or College; and
- (4)** Libraries, art galleries, museums, athletic facilities, public health facilities and other nonprofit cultural facilities that would provide a public benefit by such locations.

The U District corresponds generally to the "Major Institutional" land Use designation of the Wichita-Sedgwick County *Comprehensive Plan*.

- b. Base District permitted Uses.** When the U District is applied as a base district, the following uses shall be permitted by-right:

Universities, colleges, seminaries and other institutions of learning, including their buildings owned or leased for administrative and faculty offices, classrooms, laboratories, chapels, Auditoriums or Stadiums, lecture halls, Libraries, Hospitals, Government Services, Safety Services, student, faculty and alumni centers, athletic facilities and dormitories, Group Home, Group Residences, Day Care general and student and faculty housing; provided, however, the above facilities are located on campus. Permitted outside activities shall include marching, drill, band, athletics, campus celebrations and displays, graduations, scientific research, music and drama presentations, off-street Parking, open air classroom instruction and similar functions.

Excluded are those primary Uses that are conducted outside a Structure or have major Outdoor Storage of materials used in the instructional process, including the teaching of repair, maintenance or driving of heavy equipment or trucks; the teaching of body or fender work; metal forming or such other trade that involves basically physical or manual skills; flying instruction; weapon instruction; fire fighting instruction and other similar uses.

- c. Overlay District on campus permitted Uses.** When the U District is applied as an Overlay District on campus, the Uses permitted by-right shall be the Base District permitted Uses and Multi-Family, Assisted Living, Bank or Financial Institution, Broadcast/Recording Studio, Hotel or Motel, Medical Service, Office, General, Personal Care Service, Personal Improvement Service, Printing and Publishing, General, Restaurant, Retail, General, Manufacturing, Limited, subject to Sec. III-D.6.n., Research Services, Agricultural Research, commercial experiential learning facilities and other similar uses.
- d. Overlay District on Adjacent residential zoned properties permitted Uses.** When the U District is applied as an Overlay District on Adjacent residential zoned properties, the Uses allowed by-right within the Underlying residential District shall constitute the Permitted Uses by-right.
- e. Overlay District on Adjacent residential zoned properties Conditional Uses.** When the U District is applied as an Overlay District on Adjacent residential zoned properties, the Uses allowed as Conditional Uses within the Underlying residential District shall be Conditional Uses within the U Overlay. The following Uses shall also be Conditional Uses within the U Overlay district:
 - (1)** fraternities and sororities, dormitories, student housing and related Uses;
 - (2)** Libraries, art galleries, museums, athletic facilities, public health facilities and other nonprofit cultural groups;
 - (3)** offices, meeting rooms, laboratories and other facilities for educational, fraternal, professional, religious and research organizations and institutions having a demonstrated relationship to the university or college;
 - (4)** Parking Areas or lots for Passenger Vehicles accessory to Uses permitted in the U District;
 - (5)** Accessory Structures and Uses when such are located on the same Lot and are traditionally and customarily incidental to any of the Permitted Uses in this zoning District.
- f. Property development standards.** Each site in the U District shall be subject to the following minimum property development standards.
 - (1) Minimum Lot size.** The minimum Lot size in the U District shall vary depending on whether the District is applied as a base District or as an Overlay District, as follows.
 - (a) Base District and Overlay District on campus:** no minimum
 - (b) Overlay District on Adjacent residential zoned properties:** standard of Underlying base District controls.
 - (2) Minimum Lot width.** The minimum Lot width in the U District shall vary depending on whether the District is applied as a base District or as an Overlay District, as follows.

- (a) Base District and Overlay District on campus:** no minimum
 - (b) Overlay District on Adjacent residential zoned properties:** standard of Underlying base District controls
- (3) Minimum Front Setback.** The minimum Front Setback in the U District shall vary depending on whether the District is applied as a base District or as an Overlay District, as follows.
- (a) Base District and Overlay District on campus:** 20 feet if frontage on public Street
 - (b) Overlay District on Adjacent residential zoned properties:** standard of Underlying base District controls
- (4) Minimum Rear Setback.** The minimum Rear Setback in the U District shall vary depending on whether the district is applied as a base District or as an Overlay District, as follows.
- (a) Base District and Overlay District on campus:** 20 feet if Setback is taken from public Street or residentially zoned Lot
 - (b) Overlay District on Adjacent residential zoned properties:** standard of Underlying base District controls
- (5) Minimum Interior Side Setback.** The minimum Interior Side Setback in the U District shall vary depending on whether the District is applied as a base District or as an Overlay District, as follows.
- (a) Base District and Overlay District on campus:** 20 feet if Setback is taken from residentially zoned Lot
 - (b) Overlay District on Adjacent residential zoned properties:** standard of Underlying base District controls
- (6) Minimum Street Side Setback.** The minimum Street Side Setback in the U District shall vary depending on whether the District is applied as a base District or as an Overlay District, as follows.
- (a) Base District and Overlay District on campus:** 20 feet if Setback is taken from public Street
 - (b) Overlay District on Adjacent residential zoned properties:** standard of Underlying base District controls
- (7) Maximum Height.** The maximum height limit in the U District shall vary depending on whether the District is applied as a base District or as an Overlay District, as follows.
- (a) Base District and Overlay District on campus:** no maximum

(b) Overlay District on Adjacent residential zoned properties: standard of Underlying base District controls

(8) Maximum Floor Area Ratio

(a) Base District and Overlay District on campus: 0.50

(b) Overlay District on Adjacent residential zoned properties: Standard of Underlying base District controls

g. Special regulations. The following special regulations shall apply to property in the U District.

(1) Base District or Overlay District. The U District may be applied and mapped as a separate base zoning District or as an Overlay District in combination with any one of the residential Districts. The U Overlay District shall not be combined with an office, commercial, or industrial base District.

SECTION 2. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

ADOPTED this 21st day of April, 2015.

Carl Brewer - Mayor

ATTEST:

Karen Sublett, City Clerk

(SEAL)

Approved as to form: _____
Sharon Dickgrafe, Interim City Attorney